

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ERVIN WARFIELD WHITBY, :
Petitioner : CIVIL ACTION NO. 3:15-1967
v. : (Judge Mannion)
KENNETH CAMERON, :
Respondent :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY**

ORDERED THAT:

1. The above captioned petition for writ of habeas corpus is **DISMISSED** as untimely under the statute of limitations. See 28 U.S.C. §2244(d).
2. The Clerk of Court is directed to **CLOSE** this case.
3. There is no basis for the issuance of a Certificate of Appealability. See 28 U.S.C. §2253(c).

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

DATE: January 29, 2016

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2015 MEMORANDA\15-1967-01-ORDER.wpd